

Mayor Bill Seuell called the meeting to order at 7:00 p.m. Also present were Councilmembers Jim Berger, Kay Carlquist, Robert Jurca and Mary Cooper, along with City Manager Lanny Sloan. City Attorney Mike Schottelkotte was absent. A meeting notice was posted in the south window at City Hall at least twenty-four hours prior to the meeting.

**Pledge of Allegiance**

The Mayor led everyone present in the Pledge of Allegiance.

**Changes to the Agenda**

There were none.

**Minutes**

It was moved by Councilmember Carlquist and seconded by Councilmember Jurca to approve the minutes of the Regular Meeting of April 3, 2007. All in favor, motion carried.

**Citizen Comments**

There were no comments.

**Financial Report**

Finance Director Tod DeZeeuw presented his financial report for the period ending March 31, 2007. He added that the more detailed financial report for the first quarter of 2007 would be available by Friday (April 20).

**Lease Renewals****Land Adjacent to the Wastewater Treatment Plant**

Assistant City Manager Steve Glammeyer reported that a large field north of the wastewater treatment plant has historically been leased to Bonsall Huffington, who uses it for grazing purposes. When the lease expired on March 1, 2007, staff advertised for bids. The only bidder was Mr. Huffington, and his bid for the current year was higher than the amount paid in 2007. Since Mr. Huffington has been a good custodian of the property, staff recommends that Council approve the lease agreement with Bonsall Huffington for 2008.

It was moved by Councilmember Cooper and seconded by Councilmember Berger to enter into a lease agreement with Bonsall Huffington for the use of City property adjacent to the wastewater treatment plant for the purpose of grazing livestock. All in favor, motion carried.

**Upper White Ranch**

The Assistant City Manager explained that for several years, the Upper White Ranch has been leased to Dan and Roy Long, Larry Kier, Rolf Sanburg and Lynn Sanburg for grazing purposes. The lease is up for renewal at the end of the month, and the Longs, the Sanburgs and Mr. Kier have indicated an interest in renewing it.

Mr. Glammeyer noted that the City is having conversations with BLM concerning a land swap. BLM has no objections to the City leasing the property in 2007 since the land swap will likely take a couple of years to complete.

It was moved by Councilmember Jurca and seconded by Councilmember Carlquist to enter into a lease with Dan and Roy Long, Larry Kier, Rolf Sanburg and Lynn Sanburg for the use of the Upper White Ranch for the purpose of grazing livestock. All in favor, motion carried.

**Delta Homefront Subdivision**

Community Development Director Glen Black reminded Council that they had approved the proposed Delta Homefront Subdivision as a minor subdivision on December 5, 2006. Since the applicant did not meet all conditions of approval within 90 days, the initial approval has expired. The applicant is now proposing a five-lot subdivision. Since no public improvements would be required at this time, the applicant has asked that the preliminary plat requirement be waived pursuant to City Code Section 16.04.050(C)(4)(h).

## **Regular Meeting, Delta City Council, April 17, 2007 (Cont.)**

### **Delta Homefront Subdivision (Cont.)**

Director Black gave a Power Point presentation on the proposed subdivision.

Mr. Black stated that the Planning Commission reviewed the sketch plan at their April 2nd meeting. They were concerned about a swampy area on the north side of the property. The Community Development Director reviewed the applicant's plan to remediate the problem and reported that the Planning Commission recommended approval of the sketch plan and waiver of the preliminary plat.

It was moved by Councilmember Berger and seconded by Councilmember Cooper to approve the Delta Homefront Subdivision with all staff recommendations and waive the preliminary plat requirement. All in favor, motion carried.

### **Council Bill #14, 2007; First Reading; Rezoning of Property at 1470 Highway 50**

Community Development Director Black reported that applicants Larry and Janel Dawson owned Americar Parts at 1280 Highway 50. They recently sold the property and plan to move the business to their residence at 1470 Highway 50. That property is currently zoned B-3, which does not allow automobile wrecking and salvage yards. Those uses are allowed only in the I-2 and I-R Districts, as conditional uses. The applicant originally requested a change to I-2 due to the proximity of other properties zoned I-2. However, after review, staff recommended the I-R District in order to allow continuation of the residential use. If the zoning change is approved, the applicant will need to go back to the Planning Commission for approval of the conditional use.

The Planning Commission reviewed the request at their April 2nd meeting and recommended approval of the change to I-R.

#### **Council Bill #14, 2007**

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,  
CHANGING THE ZONING DESIGNATION OF PROPERTY AT  
1470 HIGHWAY 50 FROM A B-3 DISTRICT TO AN I-R  
DISTRICT

was read by the Clerk.

It was moved by Councilmember Carlquist and seconded by Councilmember Jurca to adopt Council Bill #14, 2007 on first reading. Roll call vote: Councilmembers Berger, aye; Carlquist, aye; Jurca, aye; Cooper, aye; and Seuell, aye. Motion carried.

### **Restructuring of City Advisory Committees**

City Manager Sloan reported that one of the action items from the 2007 Council retreat was to restructure or eliminate the City's various advisory committees. Staff has reviewed the functions of the existing committees and recommends forming one committee, to be called the Delta City Community Resources Advisory Committee. This committee would consist of members representing the existing committees, along with streets, utilities and Senior Citizens. In addition, there would be several Task Forces, each of which would be formed to serve a specific purpose or to work on a specific project, and would be disbanded when the goal or project has been completed.

Mr. Sloan added that the existing Library Committee would not be included since they have already recognized that they can best serve the community as a foundation rather than an advisory board.

Staff had prepared a proposed set of bylaws for the new committee for Council review.

Dennis Phillips, currently a member of the Golf Advisory Committee, expressed concern about forming just one committee with only one representative from each interest group. He pointed out that he has knowledge about and interest in golf, but not necessarily in murals. Mr. Sloan responded to Mr. Phillips' concern. He pointed out that it is often difficult to have a quorum of in attendance for the meetings of some of the existing committees. Staff hopes that combining the

## **Regular Meeting, Delta City Council, April 17, 2007 (Cont.)**

### **Restructuring (Cont.)**

committees into one and establishing tasks and goals for the new committee will be more effective and will increase the efficiency of City staff currently involved with the committees.

It was moved by Councilmember Berger and seconded by Councilmember Jurca to direct City staff to work toward the formation of the Delta City Community Resources Advisory Committee, with the first meeting being scheduled for July, and with the Committee to report to Council after six months and after one year as to their progress and any problems encountered. All in favor, motion carried.

### **Ordinance #13, 2007: Second Reading: Consenting to Assignment of Kinder Morgan Franchise**

Ordinance #13, 2007

AN ORDINANCE OF THE CITY OF DELTA, COLORADO, CONSENTING TO THE ASSIGNMENT BY KINDER MORGAN, INC. OF ORDINANCE NO. 24, 1999, AS AMENDED BY ORDINANCE NO. 13, 2005, ALSO KNOWN AS THE KN ENERGY, INC. FRANCHISE, TO SOURCE GAS DISTRIBUTION, LLC

was introduced as Council Bill #13, 2007, and read by the Clerk.

It was moved by Councilmember Cooper and seconded by Councilmember Carlquist to adopt Council Bill #13, 2007 on second and final reading. Roll call vote: Councilmembers Berger, aye; Carlquist, aye; Jurca, aye; Cooper, aye; and Seuell, aye. Council Bill #13, 2007 was adopted on second and final reading as Ordinance #13, 2007.

### **Proclamations**

Mayor Seuell noted that he would be signing proclamations naming April 15 through 21, 2007 as National Volunteer Week, April 20, 2007 as Arbor Day, an April 30 through May 5, 2007 as Municipal Clerks' Week.

### **City Attorney Comments**

There were none.

### **City Manager Comments**

City Manager Sloan noted that he would ask for an Executive Session concerning the sale of property and personnel matters.

At Mr. Sloan's request, the Community Development Director updated Council on the Comprehensive Plan contract. He explained that official notification of the grant has not yet been received from the Department of Local Affairs. However, the consultant for Four Corners Planning Group is still waiting to find out who will be on the steering committee, as well as who will be on the "key persons interview list." He asked Council to contact him with their thoughts this week sometime.

### **Councilmember Comments**

#### **Library Committee**

Councilmember Berger reported that the Library Committee had met this afternoon with the Friends of the Library to discuss the possibility of forming a Library Foundation made up of members of the Library Committee and the Friends of the Library. The question of whether the City should divest itself of the Library building was discussed as well. The feeling of those attending the meeting was that it would be a "bad idea" for the City to sell the building to the Library District. It was pointed out that Charter Section 45 provides for maintenance and operation of a public library. The feeling of those present at the meeting was that the question of whether or not to form a Foundation depends on the status of the library. It was suggested that a group of interested parties meet to discuss possible solutions.

## **Regular Meeting, Delta City Council, April 17, 2007 (Cont.)**

### **Councilmember Comments (Cont.)**

#### **Library Committee (Cont.)**

It was agreed that the central question is whether or not the City wishes to divest itself of the responsibility for a public library. To assist in answering that question, the following information is needed:

- Background information on the formation of the Library District and the City's relationship to the District;
- Financial information on how much it costs the City to maintain and insure the Library building, and how much the City pays on utilities;
- Information from the City Attorney concerning the ramifications of Charter Section 45.

Councilmember Jurca noted that he had attended a recent Parks and Rec Advisory Board meeting at which a quorum was not present. Mr. Jurca also mentioned that the manager evaluation form obtained from Delta Housing Authority met with his approval. Council asked staff to make the minor corrections needed to the form.

Councilmember Cooper stated that she will be leaving on vacation and so will not be present at the next Council meeting.

Mayor Seuell noted that he will also miss the next meeting. However, he explained there would be a quorum if all three remaining Councilmembers are present. He added that Councilmember Jurca has agreed to preside over the meeting in the absence of both the Mayor and Mayor Pro Tem.

### **Executive Session**

It was moved by Councilmember Jurca and seconded by Councilmember Carlquist to convene an Executive Session to discuss the purchase, acquisition, lease, transfer or sale of real, personal or other property interest pursuant to CRS 24-6-402(4)(a), and for discussion of a personnel matter under CRS 24-6-402(4)(f) which does not involve any specific employees who have requested discussion of the matter in open session; any member of City Council or any elected official; the appointment of any person to fill an office of City Council or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. All in favor, motion carried.

At 7:55 p.m., the Regular Meeting was recessed. The Executive Session was convened a short time later.

At 8:30 p.m., the Mayor reconvened the Regular Meeting and announced that the Executive Session had been concluded. He stated that in addition to himself, the participants in the Executive Session were Councilmembers Kay Carlquist, Robert Jurca, Mary Cooper and Jim Berger, along with Assistant City Manager Steve Glammeyer and City Manager Lanny Sloan. For the record, the Mayor asked any person participating in the Executive Session who believed that any substantial discussion of any matters not included in the motion to go into Executive Session occurred during the Executive Session in violation of the Open Meetings Law, to state his or her concerns for the record. No concerns were stated.

The meeting was immediately adjourned.

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Mary Lynn Williams, CMC City Clerk